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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | |
|---------------------------|-------------|----------------------|---------------------|-------------------|--|
| 09/848,005 | 05/03/2001 | Joseph Cosentino | 9035.00 | 5686 | |
| 26889 | 7590 | 03/04/2005 | EXAMINER | | |
| MICHAEL CHAN | | | | HARRELL, ROBERT B | |
| NCR CORPORATION | | | | ART UNIT | |
| 1700 SOUTH PATTERSON BLVD | | | | PAPER NUMBER | |
| DAYTON, OH 45479-0001 | | | | 2142 | |

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/848,005 | COSENTINO, JOSEPH | |
| | Examiner | Art Unit | |
| | Robert B. Harrell | 2142 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 November 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 18-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 18-30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 03 May 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input checked="" type="checkbox"/> Other: <u>see attached Office Action</u> . |

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1. Claims 18-30 remain for examination.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
3. Related applications on page 1 of this application requires updated information as to current United States Patent Numbers for those mentioned applications.
4. The applicant should use this period for response to thoroughly and very closely proof read and review the whole of the application for correct correlation between reference numerals in the textual portion of the Specification and Drawings along with any minor spelling errors, general typographical errors, accuracy, assurance of proper use for Trademarks™, and other legal symbols®, where required, and clarity of meaning in the Specification, Drawings, and specifically the claims. Minor typographical errors could render a Patent unenforceable and so the applicant is strongly encouraged to aid in this endeavor.
5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 18-30 are rejected under 35 U.S.C. 102 (b) as being anticipated by Brooks et al. (5,754,673).

7. Prior to addressing the grounds of the rejections below, should this application ever be the subject of public review by third parties not so versed with the technology (i.e., access to IFW through Public PAIR (as found on <http://portal.uspto.gov/external/portal/pair>)), this Office action will usually refer an applicant's attention to relevant and helpful elements, figures, and/or text upon which the Office action relies to support the position taken. Thus, the following citations are neither all-inclusive nor all-exclusive in nature as the whole of the reference is cited and relied upon in this action as part of the substantial evidence of record. Also, no temporal order was claimed for the acts and/or functions.

8. Per claim 18, Brooks taught a financial document processing system (e.g., see Title and Abstract) comprising:

- a) a financial document processing transport (e.g., see figure 2A) including means defining a document transport path along which financial documents can be transported (42 of figure 2A), and a first display for allowing an operator to view an operator message which relates to an exception condition which has occurred along the document transport path (see figure 2B and col.6 (line 40- et seq.));
- b) a transport controller including means for controlling operation of the transport (e.g., see figure 2A (TOP LEFT)), and means for generating an

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operator message when an exception condition occurs along the document transport path (e.g., see Abstract));

c) a transmitter interface including means for receiving operator messages from the transport controller and means for wirelessly transmitting operator messages (e.g., see col. 4 (lines 6-14 (i.e., "wireless LAN" is within the set of all known LANs none specifically excluded by Brooks))); and,

d) a portable control unit which is separate from the transport and which can be carried by the operator between a first location in which the operator is able to view the first display on the transport and a second location in which the operator is unable to view the first display on the transport, the portable control unit including means for wirelessly receiving operator messages from the transmitter interface and a second display for allowing the operator to view an operator message which relates to an exception condition which has occurred along the document transport path without having to move from the second location to the first location to view the operator message on the first display (e.g., see col. 4 (lines 6-14 (i.e., "wireless LAN" is within the set of all known LANs none specifically excluded by Brooks) and also col. 6 (line 40-*et seq.*)).

9. Per claim 19, 20, 21, 22, 23, and 24, as covered above, since Brooks taught the use of a LAN, any LAN of which is included therein "wireless LAN", it was anticipated that remotely located operator(s) on the wireless LAN included addressable (broadcast) portable unit(s) duplicating those functions of figure 2B (44), and required hardware of figure 2B, as taught in col. 6 (lines 54-56) and suggestive by interface 120 of figure 2B). Such a wireless LAN (thus RF (Radio Frequency)) would permit for broadcasting, and unicasting, transport information (i.e., available) to/from one or more selected addressable transport machines in a plural machine environment over any LAN using any network protocol (i.e., TCP/IP) that included session identifiers (i.e., device address(es)).

10. Per claim 25, 26, 27, 28, 29, and 30, these claims do not teach or defined above the correspondingly rejected claims given above, and are thus rejected for the same reasons given above.

11. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this office action:

a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 18-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brooks et al. (5,754,673) alone or in view of Ahmadi et al. (5,384,777).

13. Per all the claims, Brooks taught the invention as claimed for the all the reasons outlined above herein incorporated and duplicated. However, while Brooks clearly taught interfacing his system to a LAN (per col. 4 (lines 1-14) such that displayed items on the CRT (Display 88) of processor 44 in figure 2B

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could be sent to a remote user(s) for input from the user(s), the type of LAN was not specifically detailed and none specifically exclude; thus, any specific type of LAN (i.e., wireless multi-user LAN TCP/IP based) was envisioned by Brooks. One such type is taught by Ahmadi. Examiner notes this is not the only type of wireless LAN known to those skilled in the art as evidence to over 56 patents, issued prior to May 3, 2001, with "wireless LAN" therein those patent Titles, at the time of this Office Action.

14. It would have been obvious to one skilled in the data processing art to have combined the teachings of Brooks and Ahmadi because they both were directed toward the problem of controlling devices via a LAN. More specifically, it would have been obvious to implement a wireless LAN (i.e., via interface 120 of figure 2B) since Brooks clearly recited, without exclusion, any LAN in col. 4 (lines 1-14). Thus, it would have been obvious to those skilled in the art not to be tethered to the CRT of figure 2B(88) but be free to move about the check processing machine, from one end to the other or among other such machines, with a portable device(s) by one or more users.

15. Per all of the above, Remote Control of a check processing system of the type taught by Brooks was either anticipated and/or obvious.

16. All of the applicant's remarks have been considered but deemed moot in view of the above new grounds of rejection.

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

18. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Harrell whose telephone number is (571) 272-3895. The examiner can normally be reached Monday thru Friday from 5:30 am to 2:00 pm and on weekends from 6:00 am to 12 noon Eastern Standard Time.

20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B. Harvey, can be reached on (571) 272-3896. The fax phone number for all papers is (703) 872-9306.

21. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

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ROBERT B. HARRELL
PRIMARY EXAMINER
GROUP 2142